1		HONORABLE KAREN L. STROMBOM
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6	UNITED STATES D	ISTRICT COURT
7	WESTERN DISTRICT OF WASHINGTON AT TACOMA	
8		VOITALE .
	EMPLOYEE PAINTERS' TRUST HEALTH &	CASE NO.: 3:11-cv-05456-KLS
9	WELFARE FUND; WESTERN WASHINGTON PAINTERS DEFINED))
10	CONTRIBUTION PENSION TRUST; DISTRICT COUNCIL NO. 5) ORDER GRANTING PLAINTIFFS'
11	APPRENTICESHIP AND TRAINING TRUST FUND; WESTERN WASHINGTON	MOTION FOR SUMMARY JUDGMENT
12	PAINTERS LABOR MANAGEMENT COOPERATION TRUST; INTERNATIONAL	
13	UNION OF PAINTERS AND ALLIED)
14	TRADES INDUSTRY PENSION FUND; and INTERNATIONAL UNION OF PAINTERS)
15	AND ALLIED TRADES DISTRICT COUNCIL NO. 5,))
16	Plaintiffs,)
17	VS.)
18	STEVEN RAY FREEMIRE and JOAN MARIE FREEMIRE, husband and wife and the marital	
19	community comprised thereof; and PICTURE PERFECT PAINTING, INC., a Washington	
	corporation,	
20	Defendants.))
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22		CHRISTENSEN JAMES & MARTIN
23	ORDER GRANTING PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT (3:11-cv-05456-KLS)	AND THE URBAN LAW FIRM
24	Page 1	800 Bellevue Way NE, Suite 400 Bellevue, WA 98004
25		P. (425) 646-2394/(425) 462-4045 F. (423) 462-5638/(702) 255-0871/(702) 968-8088 elj@cjmlv.com murban@theurbanlawfirm.com

1 I. 2 **JUDGMENT SUMMARY** 3 1. Judgment Creditors: Employee Painters' Trust Health & Welfare Fund; Western 4 Washington Painters Defined Contribution Pension Trust; District Council No. 5 Apprenticeship 5 and Training Trust Fund Western Washington Painters Labor Management Cooperation Trust; 6 International Union of Painters and Allied Trades Industry Pension Fund; International Union Of 7 Painters And Allied Trades District Council No. 5 2. 8 Judgment Debtors: Picture Perfect Painting, Inc.; Joan Marie Freemire; Steven 9 Ray Freemire 3. 10 Judgment Amount: \$120,093.61 11 Consisting of the following amounts 12 Contributions: \$73,602.22 a. 13 Liquidated Damages: \$18,794.41 b. 14 Accrued Interest: c. \$5,608.47 15 d. Audit Costs: \$2,549.00 \$19,539.51 16 Attorney's Fees & Costs: e. 17 4. Judgment Amount shall bear interest at 12% per annum 18 /// 19 /// 20 /// 21 /// 22 CHRISTENSEN JAMES & MARTIN 23 ORDER GRANTING PLAINTIFFS' MOTION FOR THE URBAN LAW FIRM SUMMARY JUDGMENT (3:11-cv-05456-KLS) 800 Bellevue Way NE, Suite 400 24 Page 2 Bellevue, WA 98004 P. (425) 646-2394/(425) 462-4045 25 F. (423) 462-5638/(702) 255-0871/(702) 968-8088 elj@cjmlv.com murban@theurbanlawfirm.com

1 2	5.	Attorneys for Judgment Creditors:	CHRISTENSEN JAMES & MARTIN Evan L. James, Esq. WSBA #44654
3			800 Bellevue Way NE, Suite 400 Bellevue, WA 98004
5			P. (425) 462-4045/(702) 255-1718 F. (425) 462-5638/(702) 255-0871 elj@cjmlv.com
6			THE URBAN LAW FIRM
7			Michael A. Urban, Esq. WSBA #20251
8			800 Bellevue Way NE, Suite 400
9			Bellevue, WA 98004 P. (425) 646-2394/(702) 968-8087
10			F. (425) 462-5638/(702) 968-8088 murban@theurbanlawfirm.com
11			
12	6.	Attorneys for Judgment Debtors:	LAW OFFICE OF MARK B. MOBURG PLLC
13			Mark B. Moburg, Esq. WSBA #19463
14			2135 – 112th Avenue NE, Suite 230
15			Bellevue, Washington 98004 P. (425) 818-4828
16			F. (425) 451-2661 mark@moburglaw.com
17		II.	
18	ORDER		
19	Pursuant to the Plaintiffs' Motion for Summary Judgment [Doc. 18], and the Court		
20	having considered Plaintiffs' Motion and supporting papers, with Exhibits 1 – 6 and supporting		
21			or ar are supporting
22			CHRISTENSEN JAMES & MARTIN
23	ORDER GRANTING PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT (3:11-cv-05456-KLS)		AND THE URBAN LAW FIRM 800 Bellevue Way NE, Suite 400
24	Page 3		Bellevue, WA 98004 P. (425) 646-2394/(425) 462-4045
25			F. (423) 462-5638/(702) 255-0871/(702) 968-8088 elj@cjmlv.com murban@theurbanlawfirm.com
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1 declarations, defendants' opposition (if any), and the Plaintiffs' reply, as well as the pleadings, 2 files and records in this matter, and the Court otherwise being generally advised, it is hereby 3 **ORDERED** that the Plaintiffs' Motion for Summary Judgment is granted. The Plaintiffs 4 shall be awarded a Judgment against Defendants Picture Perfect Painting, Inc., Joan Marie 5 Freemire and Steven Ray Freemire (collectively "Defendants") in the amount of \$120,093.61 as outlined in judgment summary item no. 3, above, which represent contributions covering the 6 7 period September 2009 through September 2012 in the amount of \$73,602.22; liquidated damages in the amount of \$18,794.41; prejudgment accrued interest in the amount of \$5,608.47; 8 9 audit costs in the amount of \$2,549.00; and attorney's fees and costs in the amount of 10 \$19,539.51, for a total amount owing of \$120,093.61. 11 IT IS FURTHER ORDERED that this Judgment shall accrue interest on the total 12 unpaid balance of the Judgment at the rate of 12% per annum, pursuant to the terms of the Trust 13 Agreements to which the defendants are bound. Dated this 28th day of December, 2012. 14 15 16 17 Karen L. Strombom United States Magistrate Judge 18 19 Submitted by: 20 CHRISTENSEN JAMES & MARTIN /s/ Evan L. James 21 Evan L. James, Esq. 22 CHRISTENSEN JAMES & MARTIN 23 ORDER GRANTING PLAINTIFFS' MOTION FOR THE URBAN LAW FIRM SUMMARY JUDGMENT (3:11-cv-05456-KLS) 800 Bellevue Way NE, Suite 400 24 Page 4 Bellevue, WA 98004 P. (425) 646-2394/(425) 462-4045 25 F. (423) 462-5638/(702) 255-0871/(702) 968-8088 elj@cjmlv.com

murban@theurbanlawfirm.com

1	WSBA #44654
2	800 Bellevue Way NE, Suite 400 Bellevue, WA 98004 elj@cjmlv.com
3	en wegmiv.com
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ORDER GRANTING PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT (3:11-cy-05456-KLS)	ORDER GRANTING PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT (3:11-cv-05456-KLS) AND THE URBAN LAW FIRM 800 Bellevue Way NE, Suite 400
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25	F. (423) 462-5638/(702) 255-0871/(702) 968-8088 elj@cjmlv.com murban@theurbanlawfirm.com

CERTIFICATE OF SERVICE 1 2 I hereby certify that on November 16, 2012, I personally transmitted the foregoing 3 Proposed Order Granting Plaintiffs' Motion for Summary Judgment, to the party set forth below 4 pursuant to the authorization granted by F.R.C.P. 5(b)(E): 5 MARK B. MOBURG mark@moburglaw.com 6 7 Christensen James & Martin 8 By: /s/ Evan L. James Evan L. James 9 10 11 12 13 14 15 16 17 18 19 20 21 22 CHRISTENSEN JAMES & MARTIN 23 ORDER GRANTING PLAINTIFFS' MOTION FOR THE URBAN LAW FIRM SUMMARY JUDGMENT (3:11-cv-05456-KLS) 800 Bellevue Way NE, Suite 400 24 Page 6 Bellevue, WA 98004 P. (425) 646-2394/(425) 462-4045 25 F. (423) 462-5638/(702) 255-0871/(702) 968-8088 elj@cjmlv.com murban@theurbanlawfirm.com